



**TOWN OF LOOMIS**  
**ACTION MINUTES**  
**REGULAR MEETING OF**  
**LOOMIS TOWN COUNCIL**  
**LOOMIS TOWN HALL,**  
**6140 HORSESHOE BAR ROAD, SUITE K**  
**LOOMIS, CA 95650**

**TUESDAY**

**FEBRUARY 12, 2008**

**7:00 P.M.**

**CLOSED SESSION** – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.

- a. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR.** Pursuant to Section 54956.9 of the Government Code:  
**Property:**  
- APN 044-007-064, 044-008-030 and 044-012-055 (Union Pacific Railroad property Beginning at Loomis Station and running southwest toward Sierra College Blvd. and from Webb Street to King Road)  
**Agency Negotiator:** Perry Beck, Town Manager  
**Under Negotiation:** price and term
- b. **CONFERENCE WITH LABOR NEGOTIATOR.** Pursuant to Section 54957.6 of the Government Code:  
**Agency Negotiator:** Perry Beck, Town Manager  
**Employee Organizations:** Maintenance Workers (Operating Engineers Local 39) and Loomis Diversified Employees Group
- c. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR.** Pursuant to Section 54956.9 of the Government Code:  
**Property:**  
- APN 044-123-057 and 044-123-069 (Homewood Lumber property at Sierra College Boulevard And Brace Road)  
**Negotiator:** Perry Beck, Town Manager  
**Under Negotiation:** price and term
- d. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to subdivision Section 54956.9: 4 potential cases

**TUESDAY**

**FEBRUARY 12, 2008**

**7:30 P.M.**

**CALL TO ORDER** Called to order by Mayor Kelley at 7:45 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present:**

Mayor Kelley  
Councilmember Millward  
Councilmember Morillas  
Councilmember Scherer  
Councilmember Ucovich

**Absent:** None

**STATEMENT OF ACTION TAKEN DURING CLOSED SESSION**

- a. No action.
- b. No action.
- c. No action.
- d. No action.

## MATTERS OF INTEREST TO COUNCILMEMBERS

Councilmember Scherer pointed out the following:

- the City of Berkeley is trying to pass a resolution asking the Marine Corps to leave their City
- this is wrong, they forget that it is only through the efforts of other Marines that they have the right to sit in their chairs

Mayor Kelley noticed there are three new stop signs with flashing lights on Horseshoe Bar Road.

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item. Written Material Introduced Into the Record: Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

**PUBLIC COMMENT:** This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker is five minutes. No public comment.

## ADOPTION OF AGENDA

Perry Beck, Town Manager, stated he would like to add an item under consent, a proclamation recognizing California Arbor Day and it needs to be adopted before our next Council meeting because March 7<sup>th</sup> is California Arbor Day celebration.

A motion was made to make a finding of urgency that this item came up after the packets were distributed and it must be dealt with before the next regular Council meeting and request to add this to the Consent Agenda. On motion by Councilmember Scherer, second by Councilmember Ucovich and passed by voice vote.

Mr. Beck noted there was a request to pull item 17 to be continued to March.

A motion was made to adopt the agenda with the following amendments: adding item 14b. (California Arbor Day proclamation) to the Consent Agenda and continuing item 17 to March. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

A motion was made to approve the Consent agenda, adding item 14b. and pulling items 6 and 12 forward for discussion. On motion by Councilmember Morillas, seconded by Councilmember Ucovich and passed by voice vote.

**OPPORTUNITY TO COMMENT ON CONSENT CALENDAR:** All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

## CONSENT AGENDA

## RECOMMENDED ACTION

- |                                     |                  |
|-------------------------------------|------------------|
| 1. Council Minutes – 1/8/08         | APPROVE          |
| 2. Monthly Check Register – January | RECEIVE AND FILE |
| 3. Statement of Activity            | RECEIVE AND FILE |
| 4. Treasurer's Report               | RECEIVE AND FILE |
| 5. Planning Status Report           | RECEIVE AND FILE |

- |                   |  |  |
|-------------------|--|--|
| 6.                | Letter of Intent to Participate in Placer County<br>Animal Control Capital Program   | <i>APPROVE</i>                                     |
| 7.                | Agreement With Pacific Gas and Electric To<br>Provide Parking Lot Lighting At The Blue Goose Shed<br>And Include the Cost In The Town's Street Lighting Expense  | <i>APPROVE</i>                                     |
| 8.                | A Resolution of the Town Council of the Town of Loomis<br>Awarding to Low Bidder, Altman General Engineering and<br>Authorizing Town Manager to Execute an Agreement<br>Acceptable to the Town Attorney For the Del Mar Bridge<br>Culvert Repair Project in the Amount of \$66,700                                     | <i>ADOPT RESOLUTION</i><br><i>Resolution 02-04</i> |
| 9.                | A Resolution of the Town Council of the Town of Loomis<br>Adopting the Proposed 2008 Pavement Maintenance Project<br>As the Proposition 1B Local Streets and Road Funding Plan and<br>Direct Staff to Process the Necessary Documentation With the<br>Department of Finance to Receive the Town's Portion of \$400,000 | <i>ADOPT RESOLUTION</i><br><i>Resolution 02-06</i> |
| 10.               | Traffic Consultant Planning Services Agreement With DKS<br>Associates to Provide Traffic Analysis  | <i>APPROVE</i>                                     |
| 11.               | Financial Consultant Planning Services Agreement With<br>MuniFinancial to Provide Financial Services   | <i>APPROVE</i>                                     |
| 12.               | Authorize Soliciting Consultant Services For Personnel Study   | <i>APPROVE</i>                                     |
| 13.               | Contract With Adrienne Graham to Complete an<br>Environmental Impact Report For Loomis Marketplace,<br>Horseshoe Bar and Interstate 80   | <i>APPROVE</i>                                     |
| 14.               | Contract With North Fork Associates to Complete an<br>Environmental Impact Report for The Village at Loomis,<br>Library Drive, Horseshoe Bar Road  | <i>APPROVE</i>                                     |
| <i>Added</i> 14b. | Proclamation in Recognition of California Arbor Day  | <i>APPROVE</i>                                     |

#### CONSENT ITEMS FORWARDED

- |    |  |                |
|----|--|----------------|
| 6. | Letter of Intent to Participate in Placer County<br>Animal Control Capital Program | <i>APPROVE</i> |
|----|--|----------------|

Councilmember Millward pointed out that he had some questions and that he tried to call Animal Control but was unable to get through.

Councilmember Scherer stated it is very inconvenient to try to adopt a dog through Placer County Animal Control.

No public comment.

Following further discussion on the matter, a motion was made to approve sending a letter to Placer County indicating Loomis's intent to participate in the Placer County Animal Services Shelter Capital costs to the extent of Loomis's fair share. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote.

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|-----|--|----------------|
| 12. | Authorize Soliciting Consultant Services For Personnel Study | <i>APPROVE</i> |
|-----|--|----------------|

Councilmember Millward questioned paying for a salary survey for our size of Town, staff should be able to do their own study.

Councilmember Ucovich noted that we are only soliciting consultants at this time.

Councilmember Scherer noted that the consultants will be letting us know how much it will cost and what they will be doing for that fee.

No public comment.

Following further discussion on the matter, a motion was made to authorize soliciting consultant proposals adding the comparison of cities with 20% of the population and 20% of the total revenue. On motion by Councilmember Scherer, seconded by Councilmember Ucovich and passed by voice vote with Councilmember Millward voting no.

Councilmember Ucovich distributed fluorescent light bulbs, from Pacific Gas & Electric, that will save about 30-40% of the electric bill.

## PUBLIC HEARING

Due to conflict of interest Councilmember Ucovich left the room.

15. **Appeal of Aunt Cynthia's Bed and Biscuit Modification to Conditional Use Permit**  
Councilmember Millward has appealed a Planning Commission decision to approve a Modification to a Conditional Use Permit and Design Review approval to allow expansion of the operation of an animal kennel at 3190 Swetzer Road  
**Recommended action:** Hear the appeal and decide on the merits.  
**Public comment:**

Jean Wilson, Planning Commissioner, addressed the Council stating the basis for the Planning Commission's approval regarding Exhibit B:

- the issue of heating and insulation did not come up because they were addressing the new building, which will be conditioned through the Building Codes
- they approved the gravel driveway because it was approved by the current Fire Department, the noise was addressed by the sound engineer, gravel doesn't absorb heat or have the same run-off as pavement, and pavement could be harmful for the trees
- the sewer and septic system were part of the conditions already
- the emergency access was approved by the Fire Department

Greg Obranovich, Planning Commissioner, stated the following:

- the number of dogs was a primary concern in regarding the approval
- they looked at the complaint history and it was low, the sound study showed no indication that the noise was high
- the increase in dogs was to be done in phases to track the history

No public comment.

Cynthia McCoy, owner of Aunt Cynthia's Bed and Biscuit, expounded on her modification to her conditional use permit and answered questions.

Councilmember Millward received new information since the packets were distributed and questioned Ms. McCoy regarding the new information.

Mayor Kelley stated Ms. McCoy needed time to look over the new information that has been brought forward and suggested Council move onto item 18 at this time.

Recess at 9:43 p.m. to 9:48 p.m.

Ms. McCoy addressed the issues that were brought up in the new information and answered questions.

Council discussed the appeal conditions proposed by Councilmember Millward and agreed on the following regarding the proposed conditions in response to the appeal:

- Item 1 is okay as written.
- Item 2 is to be determined by the Town Engineer and Fire Department (within 45 days)
- Item 3 the employees need to be awake at all times
- Item 4 is okay as written for the new building
- Item 5 is okay as written
- Item 6 there will be no emergency access gates
- Item 7 there will be a doorbell in place for access
- Item 8 is okay as written

Following further discussion on the matter, a motion was made to affirm the Planning Commission's approval subject to the above modifications to the proposed conditions. On motion by Councilmember Morillas, seconded by Councilmember Scherer and passed by the following roll call vote:

Ayes: Kelley, Millward, Morillas, Scherer  
Noes: None  
Abstained: Ucovich

Councilmember Millward is against having 30 dogs in the temporary facility and he is expecting a letter from Animal Control recommending 20 dogs.

Following further discussion on the matter a motion was made to approve 30 dogs in the temporary facility subject to the Loomis Basin Veterinarian's acceptance of 30 dogs (process to be completed within 45 days). On motion by Mayor Kelley, seconded by Councilmember Scherer and passed by the following roll call vote:

Ayes: Kelley, Morillas, Scherer

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Noes: Millward  
Abstained: Ucovich

Dave Larsen, Town Attorney, noted the two approved motions will be combined into one resolution to be adopted at the next Council meeting.

Councilmember Ucovich returned to the table.

16. **Fence and Wall Regulations** (Continued from January 8, 2008) TC 10/10/06  
Consider proposed draft Zoning Ordinance revisions for entire Town of Loomis regarding Fence and Wall regulations  
**Recommended action:** Review brochure showing proposed revisions highlighted in yellow and if only minor revisions to the brochure is made then hold first reading of proposed ordinance by title only, waiving reading.  
**Public hearing:**

Continued to March 11, 2008.

## BUSINESS

17. **Reimburse Tree Removal Expenses**  
Charles Sears requests reimbursement for costs incurred (\$3,100.00) to remove a diseased oak tree on his residential property  
**Recommended action:** Deny request  
**Public comment:**

Continued to March 11, 2008.

18. **Solar and Green Building Discussion**  
Councilmember Millward asked to have a discussion on solar use and green building Techniques  
**Recommended action:** Hear presentations, discuss and determine if there is follow up that Council would wish to review  
**Public comment:**

Kirk Uhler, Solar Power Incorporated, gave a presentation and answered questions on the history of solar, how it works, environmental and economic benefits, incentives that are available, and a few project examples.

Quincy McCourt, M&K Construction, gave a presentation and answered questions on building green.

Recess and going back to item 16.

19. **2008/09 Directive For Park and Open Space Commission**  
2008/09 directive for the Park & Open Space Commission as discussed at the January 2008 joint meeting of Council, Planning Commission and Park & Open Space Commission  
**Recommended action:** Approve Park and Open Space Commission 2008/09 directive as Presented or as Council may edit.  
**Public comment:**

No public comment.

Mayor Kelley asked to add a word under ----1 Goal, Item 6: Complete the Master Plan update recommendations.

Following further discussion on the matter, a motion was made to approve the Park and Open Space Commission 2008/09 directive with the above amendment. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by voice vote.

20. **Fire Assessment Oversight Committee**  
The Loomis Fire District is considering establishing an oversight committee to ensure that Funding arising from the recently passed benefit assessment district is prudently used and to advise the District on future budget matters utilizing these funds  
**Recommended action:** Appoint two people to serve on the Loomis Fire District benefit Assessment oversight committee  
**Public comment:**

No public comment.

Council appointed Roger Carroll and asked for one of the following to be contacted and appointed: Paul Johnson CPA, Brian Phillipe, Randy Elder, Joe Siminsky, or Vicki Morris.

A motion was made to appoint Roger Carroll and direct staff to call from the list above for the second person to serve on the Loomis Fire District Benefit Assessment Oversight Committee. On motion by Councilmember Ucovich, seconded by Councilmember Morillas and passed by voice vote.

TC 1/8/08

21. **2008/09 Goals and Budgeting** (Continued from January 8, 2008)  
Identify goals and projects to develop the 2008/09 budget  
**Recommended action:** Discuss and identify goals and projects not listed, and determine priorities under each broad caption  
**Public comment:**

No public comment.

Following further discussion on the matter, Council agreed to identify any goals or projects they want to add to the list to come back for a future meeting.


## COMMITTEE REPORTS

- 22. Placer County Economic Development Commission – Ucovich
- 23. Placer County Flood Control/Water Conservation District – Morillas
- 24. Placer County Transportation Planning Agency – Kelley/Millward
- 25. Placer County Mosquito Abatement – Ucovich
- 26. Placer County Air Pollution Control District – Millward/Ucovich
- 27. Placer County Community Services Commission - Millward
- 28. Sacramento Area Council of Governments – Scherer/Kelley
- 29. Placer Land Trust ex-officio representative - Scherer

## ADJOURNMENT

Mayor Kelley stated there was no further business and adjourned at 11:00 p.m.

  
Mayor

  
Town Clerk